

1 Jeffrey N. Pomerantz (State Bar No. 143717)
2 Teddy M. Kapur (State Bar No. 242486)
3 Steven W. Golden (Admitted *Pro Hac Vice*)
4 PACHULSKI STANG ZIEHL & JONES LLP
5 10100 Santa Monica Blvd., 13th Floor
6 Los Angeles, CA 90067
7 Telephone: 310/277-6910
8 Facsimile: 310/201-0760
9 E-mail: jpomerantz@pszjlaw.com
10 tkapur@pszjlaw.com
11 sgolden@pszjlaw.com

12 Counsel to the Official Committee of Unsecured Creditors

13 **UNITED STATES BANKRUPTCY COURT**
14 **SOUTHERN DISTRICT OF CALIFORNIA**

15 In re:

16 BORREGO COMMUNITY
17 HEALTH FOUNDATION,

18 Debtor and Debtor in
19 Possession.

20 Case No.: 22-02384-LT11

21 Chapter 11

22 **PACHULSKI STANG ZIEHL & JONES**
23 **LLP'S TENTH MONTHLY FEE**
24 **APPLICATION FOR ALLOWANCE AND**
25 **PAYMENT OF INTERIM COMPENSATION**
26 **AND REIMBURSEMENT OF EXPENSES**
27 **FOR THE PERIOD JULY 1, 2023 –**
28 **JULY 31, 2023**

CSD 1143 (04/28/96)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA**

DEBTOR: Borrego Community Health Foundation

Petition Date: September 12, 2022

Case No: 22-02384

MONTHLY FEE APPLICATION SUMMARY

APPLICANT: Pachulski Stang Ziehl & Jones LLP

REPRESENTING: The Official Committee of Unsecured Creditors

ORDER APPROVING EMPLOYMENT: Docket No. 287

CATEGORY	APPLICATION PERIOD: July 1, 2023 – July 31, 2023	
	HOURS	AMOUNT REQUESTED
Asset Disposition	1.20	\$1,080.00
Case Administration	0.40	\$198.00
Claims Admin/Objections	16.50	\$14,850.00
PSZJ Compensation	0.90	\$445.50
Other Professional Compensation	0.30	\$148.50
General Creditors' Committee	0.70	\$630.00
Hearings	0.10	\$49.50
Plan and Disclosure Statement	11.50	\$10,350.00
TOTAL	31.60	\$27,751.50

MONTHLY FEE APPLICATION

Pachulski Stang Ziehl & Jones, LLP (“PSZJ” or the “Firm”) submits its Tenth Monthly Fee Application for Allowance and Payment of Interim Compensation and Reimbursement of Expenses (the “Application”) for the Period July 1, 2023 – July 31, 2023 (the “Application Period”). In support of the Application, PSZJ respectfully represents as follows:

1. The Firm is counsel to the Official Committee of Unsecured Creditors (the “Committee”). The Firm hereby applies to the Court for allowance and payment of interim compensation for services rendered and reimbursement of expenses incurred during the Application Period.

2. The Firm billed a total of \$27,892.46 during the Application Period. The total fees represent 31.60 hours expended during the Application Period. These fees and expenses are broken down as follows:

Application Period	Fees	Expenses	Total
July 1, 2023 – July 31, 2023	\$27,751.50	\$140.96	\$27,892.46

3. Accordingly, the Firm seeks allowance of interim compensation in the total amount of \$22,342.16 at this time. This total is comprised as follows: \$22,201.20 (80% of the fees totaling \$27,751.50 for services rendered), plus \$140.96 (100% of the expenses incurred).

4. For the post-petition period, the Firm has been paid to date as follows:

Fee Period	Fees	Expenses	Description
9/30/22 – 10/31/2022 (First Monthly Fee Statement)	\$94,549.50	\$2,743.58	100% fees and 100% of expenses
11/1/22 – 11/30/22 (Second Monthly Fee Statement)	\$63,301.50	\$557.32	100% fees and 100% of expenses
12/1/22 – 12/31/22 (Third Monthly Fee Statement)	\$40,756.50	\$472.70	100% fees and 100% of expenses
1/1/23 – 1/31/23 (Fourth Monthly Fee Statement)	\$77,499.00	\$68.90	100% fees and 100% of expenses
2/1/23 – 2/28/23 (Fifth Monthly Fee Statement)	\$101,185.60	\$41.44	80% fees and 100% of expenses
3/1/23 – 3/31/23 (Sixth Monthly Fee Statement)	\$13,042.80	\$3,100.48	80% fees and 100% of expenses
4/1/23 – 4/30/23 (Seventh Monthly Fee Statement)	\$15,973.20	\$1,027.68	80% fees and 100% of expenses
Total Paid to the Firm to Date	\$406,308.10	\$8,012.10	\$414,320.20

5. To date, the Firm is owed as follows (excluding amounts owed pursuant to this Application): \$46,248.27, comprised of \$12,987.50 (80% fees/100% expenses on account of its monthly fee statement for the period May 1-31, 2023, and \$33,260.77 (80% fees/100% expenses on account of its monthly fee statement for the period June 1-30, 2023).

6. Attached as Exhibit "1" hereto is the name of each professional who performed services in connection with this case (the "Case") during the Application Period and the hourly rate for each such professional. Attached hereto as Exhibit "2" is the detailed time and expense statements for the Application Period.

7. The Firm has served a copy of this Application on the United States Trustee (the "U.S. Trustee"), the Debtor, counsel to the Debtor, counsel to the Patient Care Ombudsman, the United States of America, and the State of California, and parties requesting special notice (collectively, the "Notice Parties"). The Application was mailed to the Notice Parties by first class mail, postage prepaid, on or about September 8, 2023.

8. Pursuant to this Court's *Order on Debtor's Motion for Entry of an Order Establishing Procedures for Monthly Payment of Fees and Expense Reimbursement* (the "Interim Compensation Procedures Order") that was entered on or about December 15, 2022 [Docket No. 299], the Debtor is authorized to make the payment requested herein with a further hearing or order of this Court unless an objection to this Application is filed with the Court and served upon the Notice Parties within ten (10) calendar days after the date of mailing of the Notice of this Application. If such an objection is filed, the Debtor is authorized to pay 80% of the uncontested fees and 100% of the uncontested expenses without further order of the Court. If no objection is filed, the Debtor is authorized to pay 80% of all fees requested in the Application and 100% of the uncontested expenses without further order of the Court.

9. The interim compensation and reimbursement of expenses sought in this Application is not final. Upon the conclusion of this Case, the Firm will seek fees and

1 reimbursement of the expenses incurred for the totality of the services rendered in this
2 Case. Any interim fees or reimbursement of expenses approved by this Court and
3 received by the Firm will be credited against such final fees and expenses as may be
4 allowed by this Court.

5 WHEREFORE, the Firm respectfully requests that the Debtor pay compensation
6 to the Firm as requested herein pursuant to and in accordance with the terms of the
7 Interim Compensation Procedures Order.

8 Dated: September 8, 2023

PACHULSKI STANG ZIEHL & JONES
LLP

9
10 By /s/ Jeffrey N. Pomerantz
Jeffrey N. Pomerantz

11
12 Counsel to the Official Committee of
Unsecured Creditors

PACHULSKI STANG ZIEHL & JONES LLP
ATTORNEYS AT LAW
LOS ANGELES, CALIFORNIA

EXHIBIT 1

EXHIBIT “1”

**Summary of Hours by Professional for Application Period
(July 1, 2023 – July 31, 2023)**

Name of Professional	Title	Hours	Rate	Total Billed
Pomerantz, Jeffrey N.	Partner	0.20	\$900.00	\$180.00
Fried, Joshua M.	Partner	13.60	\$900.00	\$12,240.00
Pomerantz, Jason S.	Partner	15.30	\$900.00	\$13,770.00
Golden, Steven W.	Partner	0.80	\$900.00	\$720.00
Dassa, Beth D.	Paralegal	1.70	\$495.00	\$841.50
TOTAL		31.60		\$27,751.50

EXHIBIT “2”

**Detailed Time and Expense Statement for Application Period
(July 1, 2023 – July 31, 2023)**



PACHULSKI
STANG
ZIEHL &
JONES

10100 Santa Monica Blvd.
13th Floor
Los Angeles, CA 90067

Borrego Comm. Health Found OCC
JNP

July 31, 2023
Invoice 133098
Client 10283.00002

RE: Committee Representation

STATEMENT OF PROFESSIONAL SERVICES RENDERED THROUGH 07/31/2023

FEES	\$27,751.50
EXPENSES	\$140.96
TOTAL CURRENT CHARGES	\$27,892.46
BALANCE FORWARD	\$107,297.15
TOTAL BALANCE DUE	\$135,189.61

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Summary of Services by Professional

<u>ID</u>	<u>Name</u>	<u>Title</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
BDD	Dassa, Beth D.	Paralegal	495.00	1.70	\$841.50
JMF	Fried, Joshua M.	Partner	900.00	13.60	\$12,240.00
JNP	Pomerantz, Jeffrey N.	Partner	900.00	0.20	\$180.00
JSP	Pomerantz, Jason S.	Partner	900.00	15.30	\$13,770.00
SWG	Golden, Steven W.	Partner	900.00	0.80	\$720.00
			<hr/> 31.60		<hr/> \$27,751.50

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Summary of Services by Task Code

<u>Task Code</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
AD	Asset Disposition	1.20	\$1,080.00
CA	Case Administration	0.40	\$198.00
CO	Claims Administration and Objections	16.50	\$14,850.00
CP	PSZJ Compensation	0.90	\$445.50
CPO	Other Professional Compensation	0.30	\$148.50
GC	General Creditors' Committee	0.70	\$630.00
HE	Hearings	0.10	\$49.50
PD	Plan and Disclosure Statement	11.50	\$10,350.00
		<hr/> 31.60	<hr/> \$27,751.50

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Summary of Expenses

<u>Description</u>	<u>Amount</u>
Lexis/Nexis- Legal Research [E	\$89.96
Pacer - Court Research	\$41.60
Reproduction Expense - @0.10 per page	\$9.40
	<hr/> \$140.96

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				<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Asset Disposition						
07/08/2023	JMF	AD	Review Patient Care Ombudsman report re sale/transition issues.	0.40	900.00	\$360.00
07/20/2023	JMF	AD	Review amended settlement agreement with DHCS.	0.80	900.00	\$720.00
				1.20		\$1,080.00
Case Administration						
07/04/2023	BDD	CA	Email N. Brown re autoforwarding emails to J. Fried	0.10	495.00	\$49.50
07/28/2023	BDD	CA	Attend to calendaring matters with B. Anavim and M. Kulick	0.10	495.00	\$49.50
07/31/2023	BDD	CA	Attend to calendaring matters with B. Anavim and M. Kulick	0.20	495.00	\$99.00
				0.40		\$198.00
Claims Administration and Objections						
07/03/2023	JSP	CO	Prepare for (.5) and participate on (.4) call with T. Moyron and S. Maizel regarding claims/claim objections	0.90	900.00	\$810.00
07/04/2023	JSP	CO	Analysis regarding objection to non-litigation dentist claims	0.80	900.00	\$720.00
07/05/2023	JSP	CO	Correspondence regarding claims/claims objections, including S. Reitzel and J. Kerney	0.40	900.00	\$360.00
07/06/2023	JSP	CO	Analysis regarding non-litigation dentist claims based on conferring with J. Kearney	1.60	900.00	\$1,440.00
07/07/2023	JSP	CO	Confer with M. Gray regarding claims objections	0.20	900.00	\$180.00
07/07/2023	JSP	CO	Confer with T. Moyron regarding claims objections	0.10	900.00	\$90.00
07/07/2023	JSP	CO	Correspondence with S. Reitzel regarding claims objections	0.20	900.00	\$180.00
07/07/2023	JSP	CO	Review revised report from M. Gray in connection with claims/claims objections	0.90	900.00	\$810.00
07/10/2023	JSP	CO	Prepare for (.5) and participate on (.4) call with M. Gray regarding claims analysis	0.90	900.00	\$810.00

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				<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
07/11/2023	JSP	CO	Correspondence regarding claims/claims objections - M. Gray	0.30	900.00	\$270.00
07/12/2023	JSP	CO	Review updated claims information from M. Gray	0.60	900.00	\$540.00
07/13/2023	JSP	CO	Analysis regarding revised chart - M. Gray; review correspondence regarding same	0.60	900.00	\$540.00
07/14/2023	JSP	CO	Analysis regarding dental claims	0.70	900.00	\$630.00
07/17/2023	JSP	CO	Call with M. Gray regarding claims analysis	0.30	900.00	\$270.00
07/17/2023	JSP	CO	Review updated claims analysis from M. Gray	0.60	900.00	\$540.00
07/18/2023	JSP	CO	Correspondence from M. Gray regarding updated claims analysis	0.40	900.00	\$360.00
07/19/2023	JSP	CO	Review correspondence regarding non-litigation dental claims	0.40	900.00	\$360.00
07/24/2023	JNP	CO	Conference with Jason S. Pomerantz regarding status of claims objections.	0.10	900.00	\$90.00
07/24/2023	JSP	CO	Correspondence in connection with claims objections	0.90	900.00	\$810.00
07/25/2023	JSP	CO	Prepare for call with M. Gray regarding claims analysis	0.70	900.00	\$630.00
07/26/2023	JSP	CO	Prepare for (.6), participate on (.3) and review correspondence after (.3) call with M. Gray regarding claims objections; correspondence to J. Kearny in connection with same (.1)	1.30	900.00	\$1,170.00
07/27/2023	JSP	CO	Further analysis regarding non-litigation dental claims based on J. Kearney e-mail	0.70	900.00	\$630.00
07/28/2023	JSP	CO	Review correspondence from M. Gray regarding claim objections	0.30	900.00	\$270.00
07/31/2023	JMF	CO	Telephone call with S. Golden and J. Pomerantz re case issues/ status (.5); review open claims issues re dental proof of claim objections and emails re same (.6).	1.10	900.00	\$990.00
07/31/2023	JSP	CO	Prepare for (.4) and participate on (.4) call with S. Golden and J. Fried regarding claims analysis	0.80	900.00	\$720.00
07/31/2023	JSP	CO	Call with M. Gray regarding claims analysis	0.20	900.00	\$180.00

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				<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
07/31/2023	JSP	CO	Confer with J. Kearney regarding claims analysis	0.20	900.00	\$180.00
07/31/2023	JSP	CO	Review updated analysis of non-lit dental claims from M. Gray	0.30	900.00	\$270.00
				16.50		\$14,850.00
PSZJ Compensation						
07/28/2023	BDD	CP	Emails R. Rothman and L. Gardziabal re PSZJ May & June fee statements	0.10	495.00	\$49.50
07/31/2023	BDD	CP	Review May pre-bill in preparation of PSZJ May fee statement (.30); emails S. Golden, J. Fried, R. Rothman, and V. Arias re same (.20); begin working on May fee statement (.30)	0.80	495.00	\$396.00
				0.90		\$445.50
Other Professional Compensation						
07/28/2023	BDD	CPO	Revisions to FTI June fee application (.10) and emails S. Golden and M. Gray re same (.10)	0.20	495.00	\$99.00
07/31/2023	BDD	CPO	Email S. Golden re FTI June fee statement	0.10	495.00	\$49.50
				0.30		\$148.50
General Creditors' Committee						
07/31/2023	SWG	GC	Draft and send update email to Committee	0.20	900.00	\$180.00
07/31/2023	SWG	GC	Participate in catch-up call with PSZJ team.	0.50	900.00	\$450.00
				0.70		\$630.00
Hearings						
07/27/2023	BDD	HE	Email S. Golden re 7/31 hearing	0.10	495.00	\$49.50
				0.10		\$49.50
Plan and Disclosure Statement						
07/06/2023	JMF	PD	Draft edits to Plan.	3.20	900.00	\$2,880.00
07/07/2023	JNP	PD	Conference with Joshua M. Fried regarding Plan.	0.10	900.00	\$90.00

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				<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
07/09/2023	JMF	PD	Draft plan and liquidating trust provisions.	1.80	900.00	\$1,620.00
07/12/2023	JMF	PD	Draft Plan.	2.60	900.00	\$2,340.00
07/14/2023	JMF	PD	Review plan edits re turnback to Denton's re edits and modifications	1.20	900.00	\$1,080.00
07/24/2023	JMF	PD	Review plan edits and sale closing/tsa issues.	1.40	900.00	\$1,260.00
07/27/2023	JMF	PD	Telephone call with J. Pomerantz re case issues (.3); review emails re closing issues re sale and state approval re same (.2).	0.50	900.00	\$450.00
07/28/2023	JMF	PD	Review stipulation and State comments to same.	0.60	900.00	\$540.00
07/31/2023	SWG	PD	Draft and send email to Debtor's counsel re: Plan	0.10	900.00	\$90.00
				<hr/> 11.50		<hr/> \$10,350.00

TOTAL SERVICES FOR THIS MATTER:

\$27,751.50

Pachulski Stang Ziehl & Jones LLP
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Expenses

07/06/2023	RE2	SCAN/COPY (71 @0.10 PER PG)	7.10
07/06/2023	RE2	SCAN/COPY (15 @0.10 PER PG)	1.50
07/07/2023	LN	10283.00002 Lexis Charges for 07-07-23	5.63
07/17/2023	LN	10283.00002 Lexis Charges for 07-17-23	3.70
07/17/2023	LN	10283.00002 Lexis Charges for 07-17-23	3.73
07/17/2023	LN	10283.00002 Lexis Charges for 07-17-23	15.76
07/18/2023	LN	10283.00002 Lexis Charges for 07-18-23	1.11
07/18/2023	LN	10283.00002 Lexis Charges for 07-18-23	0.74
07/19/2023	LN	10283.00002 Lexis Charges for 07-19-23	16.28
07/19/2023	LN	10283.00002 Lexis Charges for 07-19-23	3.33
07/19/2023	LN	10283.00002 Lexis Charges for 07-19-23	21.02
07/20/2023	LN	10283.00002 Lexis Charges for 07-20-23	2.59
07/21/2023	LN	10283.00002 Lexis Charges for 07-21-23	2.59
07/21/2023	LN	10283.00002 Lexis Charges for 07-21-23	5.26
07/25/2023	LN	10283.00002 Lexis Charges for 07-25-23	2.59
07/25/2023	LN	10283.00002 Lexis Charges for 07-25-23	0.37
07/25/2023	LN	10283.00002 Lexis Charges for 07-25-23	5.26
07/31/2023	RE2	SCAN/COPY (1 @0.10 PER PG)	0.10
07/31/2023	RE2	SCAN/COPY (1 @0.10 PER PG)	0.10
07/31/2023	RE2	SCAN/COPY (2 @0.10 PER PG)	0.20
07/31/2023	RE2	SCAN/COPY (2 @0.10 PER PG)	0.20
07/31/2023	RE2	SCAN/COPY (1 @0.10 PER PG)	0.10
07/31/2023	RE2	SCAN/COPY (1 @0.10 PER PG)	0.10
07/31/2023	PAC	Pacer - Court Research	41.60

Total Expenses for this Matter

\$140.96

Pachulski Stang Ziehl & Jones LLP
Borrego Comm. Health Found OCC
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A/R STATEMENT

Outstanding Balance from prior invoices as of 07/31/2023			(May not include recent payments)	
<u>A/R Bill Number</u>	<u>Invoice Date</u>	<u>Fee Billed</u>	<u>Expenses Billed</u>	<u>Balance Due</u>
132012	02/28/2023	\$25,296.40	\$0.00	\$25,296.40
132424	03/31/2023	\$3,260.70	\$0.00	\$3,260.70
132588	04/30/2023	\$19,966.50	\$1,027.68	\$20,994.18
132906	05/31/2023	\$16,114.50	\$95.90	\$16,210.40
132933	06/30/2023	\$41,373.50	\$161.97	\$41,535.47
Total Amount Due on Current and Prior Invoices:				\$135,189.61